

BEST AVAILABLE COPY

Application No.: 10/800,516

Case No.: 53949US013

REMARKS

Claims 1-30 are pending. Claims 13-22 and 24 have been withdrawn. Applicant respectfully requests reconsideration of claims 1-12, 23, and 25-30 in view of the following remarks.

I. Claims 1 and 2 are Novel in view of Gurusamy et al. (U.S. Pat. No. 6,361,423)

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Gurusamy et al. Applicant requests reconsideration of this rejection because Gurusamy et al. do not teach or suggest a conditioning disk comprising a synthetic plastic or ceramic carrier, as recited in Applicant's claims.

Claims 1 and 2 of the present application are directed to a conditioning disk, not to the apparatus that connects the conditioning disk to a polishing machine. As such, the "carrier," as the term is understood in the present application, is an integral part of the conditioning disk and supports the abrasive holding substrate.

Gurusamy et al. disclose a conditioning disk 82 made of nickel-coated carbon steel having the lower surface embedded in with diamond particles for an abrasive (column 11, lines 40-42 and FIG. 9). In this way, the conditioning disk 82 of Gurusamy et al. includes a substrate for holding abrasive particles, but does not disclose a carrier at all, as the term carrier is used in the present application.

The disk holder 158 reported by Gurusamy et al. and referenced by the Examiner as a "carrier" is a component that is completely separate from the conditioning disk 82. Gurusamy et al. consistently refer to part 158 as a disk holder, which clearly implies that disk holder 158 is not part of the conditioning disk 82, as it is *holding* the disk. The confusion of equating disk holder 158 with the carrier in claims 1 and 2 is exacerbated by the fact that the disk holder 158 is sometimes referred to as a carrier. However, as described above, the term "carrier" as used in the present application is not the same type of carrier that disk holder 158 embodies. Rather, the term carrier in the present application refers to an integral component of the conditioning disk.

Accordingly, Gurusamy et al. fail to disclose a conditioning disk comprising a synthetic plastic or ceramic carrier as recited in Applicant's claims. For at least this reason, the present

BEST AVAILABLE COPY

Application No.: 10/800,516

Case No.: 53949US013

claims are novel in view of Gurusamy et al. and the rejection of claims 1 and 2 under 35 U.S.C. § 102(e) should be withdrawn.

II. Claims 1-12, 23, and 25-30 are Not Obvious in view of Sung (U.S. Pat. No. 6,679,243) in view of Gurusamy et al.

Claims 1-12, 23, and 25-30 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Sung in view of Gurusamy et al. Applicant respectfully traverses this rejection because neither Sung nor Gurusamy et al., alone or in any proper combination, teach or suggest a conditioning disk comprising a synthetic plastic or ceramic carrier as recited in Applicant's claims. Rather, Sung discloses a metal conditioning pad, and as acknowledged in the Office Action of April 15, 2005, Sung fails to teach or suggest a conditioning disk comprising a synthetic plastic or ceramic carrier. Also, as discussed above, Gurusamy et al. do not teach or suggest a conditioning disk comprising a synthetic plastic or ceramic carrier.

Accordingly, claims 1-12, 23, and 25-30 are nonobvious in view of Sung and Gurusamy et al. and the rejection under 35 U.S.C. § 103(a) should be withdrawn.

III. Conclusion

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. The Examiner is invited to contact Applicant's undersigned representative with any questions concerning Applicant's application.

Respectfully submitted,

Jawany 30, 2006
Date

By: *[Signature]*
Daniel D. Biesterveld, Reg. No.: 45,898
Telephone No.: (651) 737-3193

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833